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§13A–401.

(a) The three kinds of courts–martial are:

(1) General courts–martial, as described in subsection (b) of this section;

(2) Special courts–martial, as described in subsection (c) of this section; and

(3) Summary courts–martial, as described in subsection (d) of this section.

(b) A general court–martial consists of:

(1) a military judge and not less than eight members; or

(2) a military judge alone, if before the court is assembled the accused, knowing the identity of the military judge and after consultation with defense counsel, requests orally on the record or in writing a court composed only of a military judge and the military judge approves the request.

(c) A special court–martial consists of:

(1) A military judge and not less than four members; or

(2) A military judge alone:

(i) if the case is so referred by the convening authority, subject to § 13A–404 of this subtitle; or

(ii) if the case is referred under item (1) of this subsection and, before the court is assembled, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests, orally on the record or in writing, a court composed of a military judge alone and the military judge approves the request.

(d) A summary court–martial consists of one commissioned officer.

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